

# **State of Rhode Island and Providence Plantations**

## **Derelict and Abandoned Vessel and Obstruction Removal Commission**

### **Proposed Minutes of the Rhode Island Derelict and Abandoned Vessel and Obstruction Removal Commission Meeting**

**Held on June 14, 2013**

**Members in attendance:**

**Steven Hall, Acting Chair**

**Danniel Goulet, Member**

**Don Vivenzio, Member**

**Matt Calouro, Member and**

**Tom Kutcher, Member**

**Others in attendance:**

**Gary Powers, Legal Counsel to the Commission and Secretary, Pro  
Hoc Vice**

**Christian Capizzo, SAAG**

**Larry Mouradjian, RIDEM**

**John Burke, RIAG**

**Quorum being present, the Acting Chair called the Meeting to order at  
approximately 8:30 a.m. in the conference room located on the 2nd  
Floor in DEM's Wickford Marine Base which is located at 150 Fowler  
Street, North Kingstown, RI.**

**Consistent with the proposed agenda for the meeting, the**

**Commission proceeded as follows:**

- 1. The Commissioners and all individual presented introduced themselves.**
- 2. Acting Chair observed that the Commission was established in an effort to address the problems generated by derelict and abandoned vessels that are not being filled by the United States Coast Guard that is supposed to be responsible for those vessels that cause a threat to navigation and the DEM, which along with the Coast Guard, is charged with responsibility for those vessels that pose a threat to the environment. By means of the Commission, the General Assembly hopes to respond to the broad gaps in the coverage offered by the Coast Guard and the DEM.**
- 3. The Members and the guests then engaged in a broad discussion as to the what should be the nature of the Commission's focus and how it might adopt guidelines in order to establish priorities for which vessels are the most appropriate candidates for the removal projects that are initially financed by means of some of the \$200,000.00 that might be anticipated to be generated annually for the removal of such vessels. Anticipated costs were also discussed with a recognition that a wide disparity could realistically be expected when the location of the vessel and the type of vessel were considered. The Chair suggested that as the Commission became more experienced with removal and disposal operations, there could be expectation of the development of an expected range for the cost of the removal of similarly situated vessels.**

4. The Members and guests then discussed several procedures that might be utilized to approve expenditures, e.g., whether there might be an obligation to solicit three bids to permit the removal of a proposed vessel or if a standard hourly rate might be authorized.

5. The Acting Chair and Mr. Mouradjian suggested that the Commission might be served by promulgating regulations inspired by the regulations for the award of trails grants with a requirement that a reserve fund be maintained for emergency responses that may be required.

6. The Members and guests then noted that the statute defines "Derelict" vessel, "Abandoned" vessel, and "Obstruction," however, the Commission is charged with the responsibility of developing guidelines to prioritize removal projects. It was suggested that trails grant regulations might be consistent with this guideline approach. It was also suggested in addition to criteria for selection of projects that criteria be established for standards that must be must be satisfied when a project is completed.

7. Discussion then flowed into consideration of the possibility of the sanctioning of a list of approved vendors or the determination of a fixed hourly rate to be applied for the cost of the completion of approved projects.

8. The group then delved into the possibility that the Commission might benefit from the experience of how other states have dealt with this issue. It was suggested that this problem is being experienced by all coastal states and that Rhode Island's problem was probably less substantial than a number of states. It was also observed by the

**Acting Chair that Rhode Island along with Washington State is probably at the cutting edge in addressing this problem.**

**9. It was then suggested that a point system be employed to implement the prioritization guidelines to determine appropriate removal projects.**

**10. The Commission then addressed the election of a chair of the Commission pursuant to R. I. Gen. Laws § 46-6-10.2(b). Member Don Vivenzio moved that Acting Chair Steven Hall be elected Chair. This motion was seconded by Member Matt Calouro. The motion was called for a vote and passed unanimously.**

## **NEXT SCHEDULED MEETING**

**The Chair then inquired as to interest of the Members in continuing to meet at the current location and what might be convenient time for future meetings. It was agreed that the next meeting would take place at the same location, i.e., the conference room located on the 2nd Floor in DEM's Wickford Marine Base which is located at 150 Fowler Street, North Kingstown, RI and that it occur on July 11, 2013 beginning at 8:30 a.m. The members were asked to consider in the interim appropriate guidelines and point systems or criteria grading system for discussion at that meeting.**

**Meeting adjourned at approximately 10:00 a.m.**

**Respectfully submitted,**

**Gary Powers, Secretary, Pro Hoc Vice**